

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. CR-18-29-SLP
)
NAIF ABDULAZIZ M. ALFALLAJ,)
)
Defendant.)

ORDER

Before the Court is Defendant's Clarification Motion and Motion for Dismissal Without Prejudice [Doc. No. 103]. Defendant Naif Abdulaziz Alfallaj concedes that he failed to exhaust his administrative remedies with respect to his Motion for Compassionate Release [Doc. No. 97]. He requests the Court "dismiss his current petition" without prejudice and allow him to refile the Motion for Compassionate Release after he exhausts his remedies. The Court construes Defendant's Clarification Motion as requesting withdrawal of the Motion for Compassionate Release. *See United States v. Griffith*, 928 F.3d 855, 864 n.1 (10th Cir. 2019) (noting the court construes pro se filings liberally but does not act as advocate). The Court will allow Defendant to withdraw the Motion for Compassionate Release and refile the same at a later date.

IT IS THEREFORE ORDERED that Defendant's Clarification Motion and Motion for Dismissal Without Prejudice [Doc. No. 103] is GRANTED. The Clerk of Court is directed to terminate the Motion for Compassionate Release [Doc. No. 97] as withdrawn.

IT IS FURTHER ORDERED that the Court's January 19, 2022 Order allowing Defendant to file a reply regarding his Motion for Compassionate Release [Doc. No. 102] is VACATED.

IT IS SO ORDERED this 17th day of February, 2022.


SCOTT L. PALK
UNITED STATES DISTRICT JUDGE